

05/28/2024

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

## PLAINTIFFS

Fortress Credit Corp.

## ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Michael Mervis, Marc Palmer, Rina Kim, Proskauer Rose LLP, 11 Times Square, New York, NY 10036, (212) 969-3000

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)  
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Removal of breach of contract action from Supreme Court of New York based on diversity jurisdiction (28 U.S.C. 1332(a))

Has this action, case, or proceeding, or one essentially the same, been previously filed in SDNY at any time? No  Yes  (If yes, Judge Previously Assigned)

If yes, was this case Vol.  Invol.  Dismissed. No  Yes  If yes, give date \_\_\_\_\_ & Case No. \_\_\_\_\_

## IS THIS AN INTERNATIONAL ARBITRATION CASE?

No  Yes 

(PLACE AN [x] IN ONE BOX ONLY)

## NATURE OF SUIT

		TORTS	ACTIONS UNDER STATUTES			
<b>CONTRACT</b>	<b>PERSONAL INJURY</b>	<b>PERSONAL INJURY</b>	<b>FORFEITURE/PENALTY</b>	<b>BANKRUPTCY</b>	<b>OTHER STATUTES</b>	
[ ] 110 INSURANCE	[ ] 310 AIRPLANE	[ ] 367 HEALTHCARE/	[ ] 625 DRUG RELATED	[ ] 422 APPEAL	[ ] 375 FALSE CLAIMS	
[ ] 120 MARINE	[ ] 315 AIRPLANE PRODUCT	PHARMACEUTICAL PERSONAL	SEIZURE OF PROPERTY	28 USC 158	[ ] 376 QUI TAM	
[ ] 130 MILLER ACT	LIABILITY	[ ] 365 PERSONAL INJURY	21 USC 881	[ ] 423 WITHDRAWAL	[ ] 400 STATE	
[ ] 140 NEGOTIABLE INSTRUMENT	[ ] 320 ASSAULT, LIBEL & SLANDER	PRODUCT LIABILITY	[ ] 690 OTHER	28 USC 157	REAPPORTIONMENT	
[ ] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	[ ] 330 FEDERAL EMPLOYERS' LIABILITY	ASBESTOS PERSONAL INJURY PRODUCT LIABILITY	<b>PROPERTY RIGHTS</b>		[ ] 410 ANTITRUST	
[ ] 151 MEDICARE ACT	[ ] 340 MARINE	<b>PERSONAL PROPERTY</b>	[ ] 820 COPYRIGHTS	[ ] 880 DEFEND TRADE SECRETS ACT	[ ] 430 BANKS & BANKING	
[ ] 152 RECOVERY OF DEFANTED STUDENT LOANS (EXCL VETERANS)	[ ] 345 MARINE PRODUCT LIABILITY	[ ] 370 OTHER FRAUD	[ ] 830 PATENT		[ ] 450 COMMERCE	
[ ] 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS	[ ] 350 MOTOR VEHICLE	[ ] 371 TRUTH IN LENDING	[ ] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION		[ ] 460 DEPORTATION	
[ ] 160 STOCKHOLDERS SUITS	[ ] 355 MOTOR VEHICLE		[ ] 840 TRADEMARK	<b>SOCIAL SECURITY</b>	[ ] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)	
[x] 190 OTHER CONTRACT CONTRACT PRODUCT LIABILITY	PRODUCT LIABILITY				[ ] 480 CONSUMER CREDIT	
[ ] 195 FRANCHISE	<b>ACTIONS UNDER STATUTES</b>				[ ] 485 TELEPHONE CONSUMER PROTECTION ACT	
	<b>CIVIL RIGHTS</b>		<b>LABOR</b>			
	[ ] 440 OTHER CIVIL RIGHTS (Non-Prisoner)	[ ] 380 OTHER PERSONAL PROPERTY DAMAGE	[ ] 861 HIA (1395ff)			
		[ ] 385 PROPERTY DAMAGE	[ ] 862 BLACK LUNG (923)			
		PRODUCT LIABILITY	[ ] 863 DIWC/DIWV (405(g))			
		<b>PRISONER PETITIONS</b>	[ ] 864 SSID TITLE XVI			
		[ ] 463 ALIEN DETAINEE	[ ] 865 RSI (405(g))			
		[ ] 510 MOTIONS TO VACATE SENTENCE		<b>FEDERAL TAX SUITS</b>		
		28 USC 2255	[ ] 740 RAILWAY LABOR ACT		[ ] 890 OTHER STATUTORY ACTIONS	
			[ ] 751 FAMILY MEDICAL LEAVE ACT (FMLA)		[ ] 891 AGRICULTURAL ACTS	
		[ ] 530 HABEAS CORPUS	[ ] 790 OTHER LABOR		[ ] 893 ENVIRONMENTAL MATTERS	
		[ ] 535 DEATH PENALTY	LITIGATION		[ ] 895 FREEDOM OF INFORMATION ACT	
		[ ] 540 MANDAMUS & OTHER	[ ] 791 EMPL RET INC SECURITY ACT (ERISA)			
					[ ] 896 ARBITRATION	
<b>REAL PROPERTY</b>		<b>PRISONER CIVIL RIGHTS</b>	<b>IMMIGRATION</b>		[ ] 899 ADMINISTRATIVE PROCEDURE ACT/REVIEW OR APPEAL OF AGENCY DECISION	
[ ] 210 LAND CONDEMNATION	[ ] 441 VOTING		[ ] 462 NATURALIZATION			
[ ] 220 FORECLOSURE	[ ] 442 EMPLOYMENT		APPLICATION			
[ ] 230 RENT LEASE & EJECTMENT	[ ] 443 HOUSING/ACCOMMODATIONS	[ ] 550 CIVIL RIGHTS	[ ] 465 OTHER IMMIGRATION			
[ ] 240 TORTS TO LAND	[ ] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	[ ] 555 PRISON CONDITION	ACTIONS			
[ ] 245 TORT PRODUCT LIABILITY	[ ] 446 AMERICANS WITH DISABILITIES - OTHER	[ ] 560 CIVIL DETAINEE	CONDITIONS OF CONFINEMENT			
[ ] 290 ALL OTHER REAL PROPERTY	[ ] 448 EDUCATION				[ ] 950 CONSTITUTIONALITY OF STATE STATUTES	

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION  
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.  
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?

IF SO, STATE:

DEMAND \$ \_\_\_\_\_ OTHER \_\_\_\_\_ JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

Check YES only if demanded in complaint  
JURY DEMAND: YES  NO 

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN x IN ONE BOX ONLY)

<input type="checkbox"/> 1 Original Proceeding	<input checked="" type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from (Specify District)	<input type="checkbox"/> 6 Multidistrict Litigation (Transferred)	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge
<input checked="" type="checkbox"/> a. all parties represented			<input type="checkbox"/> b. At least one party is pro se.			
<input type="checkbox"/> 8 Multidistrict Litigation (Direct File)						

(PLACE AN x IN ONE BOX ONLY)

<input type="checkbox"/> 1 U.S. PLAINTIFF	<input type="checkbox"/> 2 U.S. DEFENDANT	<input type="checkbox"/> 3 FEDERAL QUESTION	<input checked="" type="checkbox"/> 4 DIVERSITY (U.S. NOT A PARTY)
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**IF DIVERSITY, INDICATE CITIZENSHIP BELOW.****CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)**

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [ ] 1	DEF [ ] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [ ] 3 [ ] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF [ ] 5	DEF [ ] 5
CITIZEN OF ANOTHER STATE	[ ] 2	[ ] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[X] 4 [ ] 4	FOREIGN NATION	[ ] 6	[ ] 6

**PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)**

Fortress Credit Corp.  
1345 Avenue of the Americas  
New York, NY 10105

**DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)**

Thai Union North America, Inc.  
2150 E. Grand Avenue  
El Segundo, CA 90245

**DEFENDANT(S) ADDRESS UNKNOWN**

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

**COURTHOUSE ASSIGNMENT**

I have reviewed Rules 18(a) and 20(a) of the Rules for the Division of Business Among District Judges, Southern District of New York, and I hereby certify that this case should be assigned to the courthouse indicated below pursuant thereto.

Check one: THIS ACTION SHOULD BE ASSIGNED TO:  WHITE PLAINS  MANHATTAN

DATE 11/04/2024 /s/Danielle L. Rose

SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT

[ ] NO

[X] YES (DATE ADMITTED Mo. July Yr. 2002)  
Attorney Bar Code # 4069084

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ is so Designated.

Daniel Ortiz, Acting Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)